

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

AT&T CORP.,)	
a New York corporation,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 22-cv-914-SDJ
)	
GOODMAN NETWORKS)	
INCORPORATED, a Texas domestic)	
for-profit corporation,)	
)	
Defendant.)	

MOTION FOR ENTRY OF DEFAULT JUDGMENT

Plaintiff AT&T Corp. (“Plaintiff” or “AT&T”), by and through undersigned counsel and pursuant to Fed. R. Civ. P. 55(b)(2), and hereby files this Motion for Entry of Default Judgment against Defendant Goodman Networks Incorporate (“Defendant” or “Goodman”), and in support thereof states as follows:

A. INTRODUCTION

1. Plaintiff is AT&T Corp.; Defendant is, Goodman Networks Incorporate.
2. On October 25, 2022, Plaintiff sued Defendant for breach of contract and quantum meruit/unjust enrichment. [Dkt. No.1].
3. On November 1, 2022, Defendant was served with a summons and a copy of Plaintiff’s Complaint for Breach of Contract and Quantum Meruit/Unjust Enrichment by a process server through its registered agent for process Capitol

Corporate Services, Inc. pursuant to Fed. R. Civ. P. 4(c). [See Affidavit of Service attached and identified as Exhibit A.]

3. Pursuant to Fed. R. Civ. P. 12(a)(1)(A)(i), Defendant has failed to file a responsive pleading or otherwise defend the suit, and the deadline to file a responsive pleading has passed. Plaintiff is entitled to entry of default judgment.

4. On December 12, 2022, Plaintiff filed a Request Entry of Default to the court clerk [Dkt. No.7].

5. An Entry of Default by the Clerk was executed on December 20, 2022. [Dkt. No.8].

6. Due to the foregoing and in accordance with Fed. R. Civ. P. 55(b)(2), Plaintiff is entitled to default judgment.

B. ARGUMENT & SUPPORT

7. The court clerk may enter a default against a party who has failed to plead or otherwise defend the suit. Fed. R. Civ. P. 55(b).

8. The clerk should enter a default against Defendant because Defendant did not file an answer or otherwise respond to the Complaint filed against it. [Dkt. No.8.]

9. Plaintiff meets the procedural requirements for obtaining a default judgment from the court, as demonstrated by Caleena S. Braig's affidavit, attached as Exhibit A.

10. Defendant is a civilian corporation and is not a minor or an incompetent person.

11. Because Defendant failed to file an appropriate pleading or otherwise defend the suit, it is now entitled to entry of default judgment. *Haw. Carpenters' Trust Funds v. Stone*, 794 F.2d 508, 512 (9th Cir. 1986); see Fed. R. Civ. P. 55(b).

C. CONCLUSION

12. For these reasons, Plaintiff asks the Court for default judgment against Defendant in the judgment amount of, but not limited to \$1,443,040.92 (this total anticipates the award of interest at the below-described rate and the award of attorney fees and costs calculated through March 17, 2023 in the amount of \$20,752.00) in unpaid charges, shortfalls, taxes, and fees, as well as interest at the contract rate of 1.5% per month (18% per annum), or the maximum rate allowed by law, in favor of Plaintiff, and attorney fees and costs.

13. For such other relief as the Court may deem appropriate under the circumstances of this case.

Dated: March 21st, 2023.

Respectfully submitted,

s/Caleena S. Braig

By: Caleena S. Braig
Texas State Bar #24076725
Colorado State Bar #51762

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**ATTORNEYS FOR PLAINTIFF,
AT&T CORP.**

CERTIFICATE OF SERVICE

I hereby certify that on March 21st, 2023 a true and correct copy of Plaintiff's Motion for Entry of Default Judgment has been forwarded to Defendant Goodman Networks Incorporated's Registered Agent by U.S. Certified Mail, Return Receipt Requested, properly addressed as follows:

Registered Agent for Goodman Networks Incorporated:

Capitol Corporate Services, Inc.
206 E. 9th Street, Suite 1300
Austin, TX 78701-4411

/s/Caleena S. Braig
Caleena S. Braig